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11 Securities, Inc., and Bank of America Corporation

12
13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15

16 FEDERAL HOME LOAN BANK OF SAN
FRANCISCO,

17 PLAINTIFF,

18 V.

19 CREDIT SUISSE SECURITIES (USA) LLC, ET.
20 AL.,

21 DEFENDANTS.
22

CASE NO. CV-10-3045 SC

STATEMENT OF NON-
OPPOSITION TO MOTION TO
FILE SECOND AMENDED
COMPLAINT

1 On November 5, 2010, plaintiff, Federal Home Loan Bank of San Francisco, filed a
2 motion under Rule 15 for leave to file a second amended complaint. Banc of America Securities
3 LLC, Banc of America Funding Corporation, Banc of America Mortgage Securities, Inc., and
4 Bank of America Corporation do not oppose plaintiff's motion.

5 Banc of America Securities LLC, Banc of America Funding Corporation, Banc of
6 America Mortgage Securities, Inc., and Bank of America Corporation each expressly reserves all
7 of its procedural and substantive rights, including the rights to challenge the sufficiency of
8 plaintiff's second amended complaint, plaintiffs' compliance with the applicable statute of
9 limitations, the Court's subject matter jurisdiction and personal jurisdiction over the parties, in
10 connection this non-opposition.

11
12
13 Dated: December 17, 2010

DARRYL P. RAINS
EUGENE ILLOVSKY
CRAIG D. MARTIN
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17 By: /s/ Darryl P. Rains
Darryl P. Rains

18 Attorneys for defendants Banc of
19 America Securities LLC, Banc of
20 America Funding Corporation,
21 Banc of America Mortgage
22 Securities, Inc., and Bank of
23 America Corporation
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ECF ATTESTATION

I, Anne K. Davis, am the ECF User whose ID and Password are being used to file this
**STATEMENT OF NON-OPPOSITION TO MOTION FILE SECOND AMENDED
COMPLAINT.** In compliance with General Order 45, X.B., I hereby attest that Darryl P. Rains
has concurred in this filing.

DATED: December 17, 2010

MORRISON & FOERSTER LLP

By: /s/ Anne K. Davis
Anne K. Davis